



EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW SECTION 313

List of Toxic Chemicals within the Chlorophenols Category

Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) requires certain facilities manufacturing, processing, or otherwise using listed toxic chemicals to report their environmental releases of such chemicals annually. Beginning with the 1991 reporting year, such facilities also must report pollution prevention and recycling data for such chemicals, pursuant to section 6607 of the Pollution Prevention Act, 42 U.S.C. 13106. When enacted, section 313 established an initial list of toxic chemicals that was comprised of more than 300 chemicals and 20 chemical categories. Section 313(d) authorizes EPA to add chemicals to, or delete chemicals from, the list and sets forth criteria for these actions.

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Section 1. Introduction

EPCRA section 313 requires threshold determinations for chemical categories to be based on the total of all chemicals in the category manufactured, processed, or otherwise used. For example, a facility that manufactures three members of a chemical category would count the total amount of all three chemicals manufactured towards the manufacturing threshold for that category. When filing reports for chemical categories, the releases are determined in the same manner as the thresholds. One report is filed for the category and all releases are reported on this form.

EPA is providing a following list of chemical names and Chemical Abstract Service (CAS) numbers to aid the regulated community in determining whether they need to report the chlorophenols category. Although this list covers all members of the category (except those that are individually listed), there may be CAS numbers, not included in this list, that represent mixtures of chlorophenols or mixtures of chlorophenols and other chemicals. If a facility is manufacturing, processing, or using a chemical which meets the chlorophenol definition, they must report under EPCRA section 313, even if the CAS number does not appear on the following list.

Who Must Report

A plant, factory, or other facility is subject to the provisions of section 313, if it meets all three of the following criteria:

- It is included in a covered Standard Industrial Classification (SIC) code as listed in the following table; and

Industrial Sector	SIC code
Manufacturing	20-39
Metal mining	10 (except 1011, 1081, and 1094)
Coal Mining	12 (except 12411)
Electrical utilities	4911, 4931, and 4939, limited to facilities that combust coal and/or oil for the purpose of generating electricity for distribution in commerce
Treatment, Storage, and Disposal facilities	4953, limited to RCRA Subtitle C permitted or interim status facilities
Solvent recovery services	7389, limited to facilities primarily engaged in solvent recovery services on a contract or fee basis
Chemical distributors	5169
Petroleum bulk terminals	5171

- It has 10 or more full-time employees (or the equivalent 20,000 hours per year); and
- It manufactures, imports, processes, or otherwise uses any of the toxic chemicals listed on the EPCRA section 313 list in amounts greater than the "threshold" quantities specified below.

Thresholds

Thresholds are specified amounts of toxic chemicals used during the calendar year that trigger reporting requirements.

If you *manufacture* or *import* any of the listed toxic chemicals, the threshold quantity will be:

- 25,000 pounds per toxic chemical or category over the calendar year.

If you *process* any of the listed toxic chemicals, the threshold quantity will be:

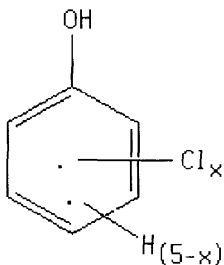
- 25,000 pounds per toxic chemical or category over the calendar year.

If you *otherwise use* any of the listed toxic chemicals (without incorporating it into any product or producing it at the facility), the threshold quantity is:

- 10,000 pounds per toxic chemical or category over the calendar year.

Chlorophenols Category Definition

The chlorophenols category is defined by the following structure:



Where $x = 1$ to 5

Chemicals that meet this category definition are reportable.

Individually Listed Chlorophenols

There are four chemicals, 2,4-dichlorophenol (CAS number 120-83-2), 2,4,5-trichlorophenol (CAS number 95-95-4), 2,4,6-trichlorophenol (CAS number 88-06-2), and pentachlorophenol (CAS number 87-86-5) that are on the individual list and the CAS number list (40 CFR 372.65(a) and (b)). Threshold determinations should be made for each of these chemicals individually and separately from the chlorophenols category.

***De Minimis* Concentrations**

The chlorophenols category is subject to the 0.1 percent *de minimis* concentration. Thus, mixtures that contain members of this category at concentrations equal to or in excess of 0.1 percent should be factored in threshold and release determinations.

Section 2. Chlorophenols included in the EPCRA Section 313 Chlorophenols Category

EPA is providing the following list of chemical names and Chemical Abstract Service (CAS) numbers to aid the regulated community in determining whether they need to report the chlorophenols category. Although this list covers all members of the category (except those that are individually listed which are identified below), there may be CAS numbers, not included in this list, that represent mixtures of chlorophenols or mixtures of chlorophenols and other chemicals. If a facility is manufacturing, processing, or using a chemical which meets the chlorophenol definition, they must report under EPCRA section 313, even if the CAS number does not appear on the following list.

Chlorophenols Included in the EPCRA Section 313 Chlorophenols Category

Chlorophenols may be named using either numbers or letters (o, m, p), where:

ortho (o) = 2
meta (m) = 3
para (p) = 4

Example: 2-chlorophenol = o-chlorophenol

NAME	CAS NUMBER
<u>MONOCHLOROPHENOLS</u>	
2-chlorophenol	95-57-8
3-chlorophenol	108-43-0
4-chlorophenol	106-48-9
3-(or 2) -chlorophenol	29353-84-2
chlorophenol	25167-80-0
<u>DICHLOROPHENOLS</u>	
2,3-dichlorophenol	576-24-9
2,5-dichlorophenol	593-78-8
2,6-dichlorophenol	87-65-0

3,4,-dichlorophenol	95-77-2
3,5,-dichlorophenol	591-35-5
2,3, (or 3,4)-dichlorophenol	83700-00-9
dichlorophenol	25167-81-1

TRICHLOROPHENOLS

2,3,4,-trichlorophenol	15950-66-0
2,3,5,-trichlorophenol	933-78-8
2,3,6,-trichlorophenol	933-75-4
3,4,5-trichlorophenol	609-19-8
2,3,5-(2,3,6 or 2,4,5)-trichlorophenol	119692-99-8
2,4,?-trichlorophenol ¹	95719-03-2
trichlorophenol	25167-82-2

TETRACHLOROPHENOLS

2,3,4,5-tetrachlorophenol	4901-51-3
2,3,4,6-tetrachlorophenol	935-95-5
2,3,5,6-tetrachlorophenol	58-90-2
2,4,?,?-tetrachlorophenol ¹	195719-04-3
tetrachlorophenol	25167-83-3

¹? means that the position of the chlorine is unspecified.